

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE WORLD TRADE CENTER
DISASTER SITE LITIGATION

IN RE WORLD TRADE CENTER LOWER
MANHATTAN DISASTER SITE
LITIGATION

IN RE COMBINED WORLD TRADE
CENTER AND LOWER MANHATTAN
DISASTER SITE LITIGATION

KIRK ARSENAULT, *et al.*,

**STIPULATED ORDER OF DISMISSAL
WITH PREJUDICE PURSUANT TO
FINAL SETTLEMENT AGREEMENT**

21 MC 100 (AKH)
21 MC 102 (AKH)
21 MC 103 (AKH)

Plaintiffs,

-Against-

THIS STIPULATED ORDER PERTAINS
TO ALL PLAINTIFFS AND DOCKET
NUMBERS SET FORTH ON EXHIBIT A

THE CITY OF NEW YORK, *et al.*,

Defendants

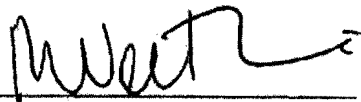
IT IS HEREBY STIPULATED AND AGREED by and between certain Plaintiffs represented by WERTHEIMER ASSOCIATES, P.C., identified on Exhibit A hereto ("Plaintiffs"), and the Defendants identified on Exhibit B ("Settling Defendants") that:

1. Plaintiff and Settling Defendants have entered into a settlement agreement resolving all claims by Plaintiffs against Settling Defendants in the above-captioned action.
2. Plaintiffs have executed releases and covenants not to sue in which Plaintiffs have released the Settling Defendants and each of them from any and all obligations and


liability to Plaintiffs for past, present, and future injuries arising out of or relating in any way to World Trade Center-related rescue, recovery and/or debris-removal operations and/or clean-up at any location on and/or after September 11th, 2001. Accordingly, Plaintiffs' claims against the Settling Defendants and each of them shall be dismissed, and hereby are dismissed, with prejudice;

3. The primary Plaintiffs identified on Exhibit A also have executed before a Notary Public documents evidencing their understanding that they are foreclosed from suing the Settling Defendants or any of them in the future for currently unknown, future injuries arising out of or relating in any way to World Trade Center-related rescue, recovery and/or debris-removal operations and/or clean-up at any location on and/or after September 11th, 2001, regardless of whether such currently unknown, future injuries out of or relate in any way to the injury(ies) each Primary Plaintiff has pleaded in this action. Such understanding shall be, and hereby is, judicially noticed.

WERTHEIMER ASSOCIATES, P.C.

By: 
Robin M. Wertheimer, Esq.
Attorneys for Plaintiffs
225 Broadway, 38th Floor
New York, New York 10007

PATTON BOGGS, L.L.P.

By: 
James E. Tyrell, Jr., Esq.
Attorneys for all Defendants
The Legal Center
One Riverfront Plaza, Suite 600
Newark, New Jersey 07102

Dated: January 17th, 2011

SO ORDERED, this 7 day of February, 2011



ALVIN K. HELLERSTEIN
United States District Judge

EXHIBIT ~~11~~ 8

A Russo Wrecking, Inc.
Acrow
Acrow Corporation of America
Allcom Electric
Amec Construction Management, Inc.
Amec Earth & Environmental, Inc.
Anthony Cortese Specialized Hauling LLC
ASG Pest Control
ASG Pest Control Services, Inc.
ATC Associates, Inc.
ATC Group Serv /dba ATC Associates
ATC Group Service Inc. d/b/a ATC Associates Inc.
Atlantic Heydt Corp.
Atlas Concrete & Cutting
Atlas Concrete Corp
Avanti Demolition & Carting Corp.
Bechtel Associates Professional Corporation
Bechtel Construction, Inc.
Bechtel Corporation
Bechtel Environmental, Inc.
Bergen Concrete Cutting
Bergen Concrete Cutting, Inc.
Berkel & Co. Contractors, Inc.
Big Apple Wrecking & Construction Corp.
Board of Education of the City of New York
Bovis Construction
Bovis Holdings Limited
Bovis International
Bovis International, Inc
Bovis Lend Lease Interiors, Inc.
Bovis Lend Lease LMB, Inc.
Bovis Lend Lease, Inc.
Breeze Carting Corp.
Breeze Carting, Inc.
Breeze International
Breeze National Inc.
Brer Four Transportation Corp.
Brer-Four Transportation
Buro Happold Consult Eng. P.C.
C & D Fireproofing and Plastering Corp.
C & D Painting and Decorating, Inc.
C&D Painting Inc.
C. B. Contracting Corp.
Canron Construction Corp.
Cantor Seinuk Group
Certified Fence Corp.

City of New York
Civetta Cousins JV, L.L.C.
Clarco Enterprise Corp
Clarco Enterprises Corp.
Clarco Enterprises LLC
Component Assembly Systems Inc.
Coordinated Metals, Inc.
Cord Contracting Co., Inc.
Craig Test Boring Company, Inc.
Criticom International Corp.
Dakota Demo Tech
DCM Erectors, Inc.
Department of Business Services
Desimone Consulting Engineers, PLLC
Diamond Point Excavating Corp.
Diego Construction, Inc.
Diversified Carting, Inc.
DMT Enterprise, Inc
D'Onofrio General Contractors Corp.
Eagle Leasing & Industrial Supply
Eagle One Roofing Contractors, Inc.
Eagle Scaffolding Co.
EJ Davies, Inc.
En-Tech Corp
Entertainment Partners
Entertainment Partners Corp
ET Environmental
ET Environmental Corporation, LLC
Evergreen Recycling of Corona
Ewell W. Finley, P.C.
Executive Medical Services, PC
F&G Mechanical Corporation
F&G Mechanical Inc.
Felix Equities, Inc.
Fleet Trucking, Inc.
Francis (Frank) Micelli Jr. Contracting Inc.
Francis A. Lee Company
Francis A. Lee Company, A Corporation
Francis A. Lee Exterior Restoration, Inc
Frank Micelli Jr. Contracting
FTI Trucking
FTI Trucking Corp.
G & G Contracting Inc.
Gilsanz Murray Steficek, LLP
Gilsanz, Murray & Steficek, LLP
Gino Cracolici & Sons Inc.
Gino Cracouci & Sons Inc.
Goldstein Associates Consulting Engineers PC
Goldstein Associates Consulting Engineers, PLLC
Grace Construction & Development Corp

Grace Contracting Corp
Grace Industries
Grace Industries, Inc.
Hallen Welding Service, Inc.
Helmsman Management Services, Inc.
HGC Contracting Corp.
High Rise Electric, Inc.
High Rise Hoisting and Scaffolding, Inc.
Highrise Hoisting and Scaffolding, Inc.
HP Environmental
HP Environmental, Inc.
Hudson Meridian Construction Group LLC
J&P Equipment & Material Handling Co.
J.P. Equipment & Rental Materials, L.L.C.
James Rudeman LLP
JP Equipment Rental Materials, Inc.
Kevin McManus
Koch Skanska, Inc.
Laquila Construction, Inc.
Laquilla Construction Inc.
Lastrada General Contracting Corp.
Leslie E. Robertson Associates Consulting Engineers PC
Leslie E. Robertson Associates, R.L.L.P.
Liberty Mutual Group
Liberty Mutual Insurance Company
Liberty Mutual Managed Care, Inc.
LiRo Group
Liro, Inc.
Lockwood, Kessler & Bartlett, Inc.
Lucius Pitkin, Inc.
LZA Tech - Div of Thornton Tomasetti
M.G. McLaren, PC
Manafort Brothers, Inc.
Mazzocchi Wrecking Inc.
Medcor
Medcor Medical and Hospital Supply
Medcor, Inc.
Ment Bros. Iron Works Co., Inc.
Ment Brothers
Ment Brothers Iron Works
Meridian Construction Corp
Moretrench American Corp.
Moretrench Construction
MRA Engineering, PC
Mueser Rutledge Consulting Engineers
Musco Sports Lighting, LLC
Nacirema Industries, Inc.
New York City Department of Education
New York City School Construction Authority
New York Crane & Equipment Corp.

New York Crane Service & Equipment
Nicholson Construction Co.
Nicholson/Heywood Joint Venture
Off Road Welding, Inc.
Office of James Ruderman LLP
Olympic Plumbing and Heating, Corp.
Ove Arup & Partners P.C.
Parson Group LLC
Peter Scalamandre & Sons, Inc.
Pinnacle
Pinnacle Environmental Corporation
Plaza Construction Corporation
Plaza Construction Management Corp
Pro Safety Services Inc.
Pro Safety Services, LLC
PT&L Contracting Corp.
Regional Scaffold & Hoisting Co, Inc.
Regional Scaffolding & Hoisting Co., Inc.
Rich Mark Contracting, Inc
Rich Mark Environmental Services, Inc.
Robert C. Stewart
Robert Errat
Robert L. Gerosa, Inc.
Robert Silman Associates
Robert Silman Associates, P.C.
Rodar Enterprises Inc.
Royal GM Inc.
SAB Trucking Inc.
Safeway Environmental, Corp.
Semcor Equipment
Semcor Equipment and Manufacturing Corporation
Severud Associates Consulting Engineers, P.C
Sheldrake Organization, Inc.
Silverado Contractors
Silverado Contractors, Inc.
Silverite Contracting Corp.
Silverite Contractors
Simpson, Gumpertz & Heger, Inc
Skanska Koch, Inc.
Skidmore, Owings & Merrill LLP
Star Delta Electric
Stier Anderson, LLC
Summit Structures
Summit Structures LLC
Telenet Communications, Inc.
The City University of New York
The City University of New York (CUNY)
The LiRo Group
Thornton Tomasetti Group
Thornton Tomasetti, Inc.

Thyssen Krupp Elevator Co.
Thyssenkrupp Elevator Corporation
Thyssenkrupp Elevator Corporation
Tomasetti Group
Toretta Trucking, Inc.
Torretta Trucking, Inc.
Total Safety Consulting LLC
Tucci Equipment Rental Corp.
Tully Construction Co., Inc.
Tully Construction Company
Tully Construction Company, Inc.
Tully Consulting Corp.
Tully Environmental Inc. (aka EROC)
Tully Industries
Turner Construction Co.
Turner Construction Company
Turner Construction International
Turner Construction International LLC
Turner/Plaza, A Joint Venture
Ultimate Demolition/CS Hauling (Joint Venture)
United States Rebar
United States Rebar, Inc.
Vanguard Equipment Rentals
Vanguard Equities Inc.
Vertical Technologies
Vertical Technologies, Inc.
Vertical Technology Inc.
Vollmer Associates LLP
W. Harris & Sons Inc.
Walter White Trucking
Weeks Marine, Inc.
Weidlinger Associates Consulting Engineers PC
Weidlinger Associates P.C.
Whitney Contracting
Whitney Contracting, Inc.
Wolkow Braker Roofing Corp.
WSP Cantor Seinuk
Yannuzzi & Sons, Inc
Yannuzzi Group of Companies
Yonkers Contracting Company, Inc
Yonkers-Tully-Pegno, a Joint Venture
York Hunter Construction
York Hunter Construction, LLC
Ziegenfuss Drilling, Inc.